

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

AMADEUS GLOBAL TRAVEL                    )  
DISTRIBUTION, S.A. and                    )  
AMADEUS s.a.s.,                            )  
  )  
                  Plaintiffs,                )  
  )  
                          v.                    ) C.A. No. 02-1543-SLR  
  )  
ORBITZ, LLC,                                )  
  )  
                  Defendant.                )

**MEMORANDUM ORDER**

At Wilmington this 19th day of May, 2003, having reviewed defendant Orbitz, LLC's motion to dismiss the second amended complaint and the papers filed in connection therewith;

IT IS ORDERED that said motion (D.I. 40) is denied, as the court concludes that Amadeus Global Travel Distribution, S.A. has standing to sue.<sup>1</sup> Further, plaintiffs have pled sufficiently their claims for tortious interference and civil conspiracy.

IT IS FURTHER ORDERED that, with respect to plaintiffs' motions to dismiss, or compel arbitration regarding, defendant ITA Software, Inc.'s counterclaims, said motions are denied without prejudice to renew. (D.I. 46, 48)

IT IS FURTHER ORDERED that the case shall be bifurcated for ease of judicial administration, as follows:

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<sup>1</sup>The court notes that the language used in the Software Development and License Agreement at issue indicates an intent to benefit the parties and their affiliates. If, through discovery, the parties' intentions are brought into dispute, the court will review the standing issue again.

1. The breach of contract claims (counts one and four of plaintiffs' second amended complaint) shall go forward.

2. Counts two, three and five of plaintiffs' second amended complaint shall be stayed until further order of the court.

3. Defendants' counterclaims likewise shall be stayed.

4. On or before **May 28, 2003**, the parties shall submit an agreed upon case management order regarding the breach of contract claims, consistent with the following dates:

a. Fact discovery to be completed on or before **August 15, 2003**.

b. Summary judgment motions to be filed on or before **September 5, 2003**.

c. Motions in limine to be filed on or before **November 3, 2003**, with responses due **November 10, 2003**.

d. A pretrial conference is scheduled for **Monday, November 17, 2003 at 4:30 p.m.** in courtroom 6B, sixth floor Federal Building, 844 King Street, Wilmington, Delaware.

e. A jury trial shall commence on **Monday, December 1, 2003 at 9:30 a.m.** in courtroom 6B, sixth floor Federal Building, 844 King Street, Wilmington, Delaware.

Sue L. Robinson  
United States District Judge